Ontario Bill 27 Would Give Employees the Right to “Disconnect”



New laws would ban contacting employees while on leave or vacation.

On October 25, the Ontario Assembly tabled and will almost surely pass Government Bill 27, the *Working for Workers Act,* making a number of significant employee-friendly changes to employment laws:

1. New Right to Disconnect

The legislation would make Ontario the second province (Québec is the first) to give employees the right to “disconnect,” that is, be free from receiving work emails, calls or other messages when they go on leave or vacation.

2. Ban on Contractual Non-Compete Clauses

Under Bill 27, Ontario would also become the first province to ban employers from including non-compete clauses in employment contracts, with certain exceptions for contracts connected to sales of the employer’s business.

3. New Restrictions on Temp Agencies

The bill imposes new licensing restrictions on temporary help agencies (THAs) and recruiters. Highlights:

- THAs and recruiters would be banned from operating without a license;
- Employers would be banned from knowingly engaging services of an unlicensed THA or recruiter;
- It would be illegal for a THA or recruiter to take reprisals against a prospective employee for asking the THA or recruiter to comply with the law; and
- The Director of Employment Standards would have authority to issue, suspend and revoke a THA or recruiter’s license.

4. Joint & Several Liability for Illegal Recruitment Fees

If and when Bill 27 passes, if the recruiter of a foreign national charges illegal fees, the recruiter, its directors and the client corporation will be “jointly and severally liable” to repay those fees. **Translation:** The government can collect the fees, in whole or in part, from any one or combination of those parties.